

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

FOREVER 21, INC., a Delaware Corporation,

Plaintiff,

v.

C LUCE, INC., as California Corporation, et al.,

Defendants.

Case No.: 2:17-cv-00553 JFW-AGR

PERMANENT INJUNCTION AGAINST DEFENDANT C LUCE, INC., AND DISMISSAL OF DEFENDANT C LUCE, INC.

The Court, pursuant to the Stipulation for Entry of Permanent Injunction & Dismissal (“Stipulation”), between Plaintiff Forever 21, Inc. (“Forever 21” or Plaintiff”), on the one hand, and Defendant C Luce, Inc. (“C Luce”), on the other hand, hereby ORDERS, ADJUDICATES and DECREES that a permanent injunction shall be and hereby is entered against C Luce, as follows:

1. **PERMANENT INJUNCTION.** C Luce and any person or entity acting in concert with, or at their direction, including any and all agents, servants, employees, partners, assignees, distributors, suppliers, resellers and any others over which they may exercise control, are hereby restrained and enjoined, pursuant to 17 U.S.C. §502, from engaging in, directly or indirectly, or authorizing or assisting

1 any third party to engage in, any of the following activities in the United States and
2 throughout the world:

3 a. importing, exporting, marketing, selling, offering for sale,
4 distributing or dealing in any product or service that uses, or otherwise making any
5 use of Plaintiff's copyrighted work of authorship titled FPD12829 (the "Design")
6 with United States Copyright Office certificate of registration numbers VAu 1-
7 143-889 and VA 2-032-860 ("Forever 21's Copyrights"), and/or any intellectual
8 property that is substantially similar to, or that constitutes a colorable imitation of
9 the Design protected by Forever 21's Copyrights;

10 b. performing or allowing others employed by or representing C
11 Luce, or under C Luce' control, to perform any act or thing which is likely to
12 injure Plaintiff or Plaintiff's rights in the Design and Forever 21's Copyrights,
13 including making disparaging, negative, or critical comments regarding Forever 21
14 or its products.

15 2. C Luce are ordered to deliver immediately to Plaintiff all products
16 bearing the Design protected by Forever 21's Copyrights and/or all products
17 bearing or constituting any simulation, reproduction, copy or colorable imitation of
18 the Design protected by Forever 21's Copyrights, which are in C Luce' possession
19 or custody or under C Luce's control.

20 3. This Permanent Injunction shall be deemed to have been served upon
21 C Luce at the time of its execution by the Court, and C Luce shall be dismissed,
22 with prejudice, upon entry of this Permanent Injunction.

23 4. The Court finds there is no just reason for delay in entering this
24 Permanent Injunction, and, pursuant to Rule 54(a) of the *Federal Rules of Civil*
25 *Procedure*, the Court directs immediate entry of this Permanent Injunction against
26 C Luce.

27 5. **NO APPEALS AND CONTINUING JURISDICTION.** No
28 appeals shall be taken from this Permanent Injunction, and the parties waive all

1 rights to an appeal thereof. This Court expressly retains jurisdiction over this
2 matter to enforce any violation of the terms of this Permanent Injunction. This
3 Court also expressly retains jurisdiction to enforce the terms of the Confidential
4 Settlement Agreement entered into by and between the Parties.

5 6. **NO FEES AND COSTS.** Each party shall bear their own attorneys'
6 fees and costs incurred in this matter.

7 7. **DISMISSAL.** The Court hereby dismisses C Luce from this action,
8 with prejudice, upon entry of this Permanent Injunction against C Luce.

IT IS SO ORDERED, ADJUDICATED and DECREED this 8th day of November, 2017.

John F. Wall

HON. JOHN F. WALTER
United States District Judge
Central District of California